

**Council Chambers, Municipal Building, Baraboo, Wisconsin  
Tuesday, August 25, 2020 – 7:00 p.m.**

Mayor Palm called the regular meeting of Council to order.

Roll call was taken.

Council Members Present: Wedekind, Kolb, Kent, Petty, Ellington, Sloan, Kierzek, Thurow

Council Members Absent: Plautz

Others Present: Chief Schauf, Clerk Zeman, Atty. Truman, M. Hardy, members of the press and others.

The Pledge of Allegiance was given.

Moved by Kolb, seconded by Kent and carried unanimously to approve the minutes of August 11, 2020.

Moved by Petty, seconded by Ellington and carried unanimously to approve the amended agenda, removing NBR-1, Employee COVID-19 Policy.

**Compliance with the Open Meeting Law was noted.**

**PRESENTATIONS** – Tim Lawther was not available, no presentation was given.

**PUBLIC HEARINGS** – None.

**PUBLIC INVITED TO SPEAK** – None.

**MAYOR'S BUSINESS** – None.

**CONSENT AGENDA**

**Resolution No. 20-75**

THAT the Accounts Payable, in the amount of \$ 907,113.11 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

**Resolution No. 20-76**

THAT, Kathleen Thurow be appointed to the Parks and Recreation Commission to fill the unexpired term of Michael Plautz serving until April 20, 2021.

**Resolution No. 20-77**

WHEREAS, the Sauk County Board levies a county library tax.

WHEREAS, Section 43.64(2)(b) of the Wisconsin Statutes provides that such units of government which levy a tax for public library service and appropriate and expend for a library fund as defined by S43.52(1) during the year for which the county tax levy is made a sum at least equal to the county tax rate in the prior year multiplied by the equalized valuation of property in the City for the current year, may apply for exemption from this tax; and

WHEREAS, the City of Baraboo does levy a library tax in excess of the amount calculated in accordance with 43.64(2)(b).

**Now Therefore be it Resolved,** THAT the City of Baraboo be exempted from the payment of any county library tax as provided in Section 43.64(2)(b) inasmuch as it will expend for its own

library fund for 2021 an amount in excess of that calculated in accordance with 43.64(2)(b). Exemption from the payment of said county library tax shall not preclude the City of Baraboo's participation in county library service in all other respects; and

**Be it Further Resolved**, THAT confirmed copies of the Resolution be forwarded by the City Clerk to the Reedsburg Public Library and to the Sauk County Clerk no later than October 1, 2020.

Moved by Wedekind, seconded by Kolb and carried that the Consent Agenda be approved-8 ayes.

### **NEW BUSINESS - RESOLUTIONS**

#### **Resolution No. 20-78**

**Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:**

THAT \$4,585 from the Kuenzi Estate recreation fund be used and a contract entered into with Parkitecture + Planning, LLC to conduct a Feasibility Study for a new splashpad at Attridge Park.

Moved by Wedekind, seconded by Sloan and carried that **Resolution No. 20-78** be approved-8 ayes.

### **CLOSED SESSION**

Moved by Wedekind, seconded by Thurow and carried unanimously to go into Closed Session. The Mayor announced that the Council will go into Closed Session as per §19.85(1)(g), Wis. Stat., conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (pending Walmart litigation for excessive taxation – referred for discussion from the Finance and Personnel Committee).

Council Members Present: Wedekind, Kolb, Kent, Petty, Ellington, Sloan, Kierzek, Thurow

Council Members Absent: Plautz

Others Present: Mayor Palm, Clerk Zeman, Adm. Geick, Atty. Truman, members of the press and others.

### **OPEN SESSION**

Moved by Petty, seconded by Thurow and carried unanimously to return to Open Session. The Mayor announces that the Council Committee will return to Open Session as per §19.85(2), Wis. Stat., to address any business that may be the result of discussions conducted in Closed Session.

**ADMINISTRATOR AND COUNCIL COMMENTS** – None.

### **REPORTS, PETITIONS, AND CORRESPONDENCE**

The City officially acknowledges receipt and distribution of the following:

- **Reports:** July, 2020 – Fire Dept., Building Inspection, Treasurer
- **Minutes from the Following Meetings:**

**Others Present:** Mayor Palm, Adm. Geick, Atty. Truman, C. Haggard, M. Hardy

**Call to Order** –Ald. Petty called the meeting to order at 6:00p.m. noting compliance with the Open Meeting Law. Moved by Sloan, seconded by Kent to approve the minutes of July 28, 2020 and carried unanimously. Moved by Kent, seconded by Sloan to approve the agenda and carried unanimously.

#### **Action Items**

- a) **Accounts Payable** – Moved by Sloan, seconded by Kent to recommend to Council for approval of the accounts payable for **\$681,009.41**. Motion carried unanimously.
- b) **Baraboo Transit Rates** – C. Haggard noted that a request has been received to review the current taxi rates with the possibility of adding a “Student” fare. The children (ages 3-12) classification will be eliminated and replaced with a “Youth/Student” (youth ages 3-12 and students of any age with a valid student ID) fare, to be set at \$3.00. Moved by Sloan, seconded by Kent to recommend to Council for action. Motion carried unanimously.
- c) **Civic Center Rent** – M. Hardy explained that a request was made by Stage III Theater to waive April and May Civic Center rent due to building closure from COVID-19 restrictions. The Park & Rec Commission has reviewed this request and recommended waiving two months of rent, or \$720.66. They are estimating about \$5,000 short in daily rental revenues. As of now, they are estimating at \$5,000-\$7,000 short in the Civic Center revenues. Ald. Sloan asked if the current lease with Stage III Theater includes any language regarding building closure and it was noted that after review by the City Attorney, there is nothing in the current lease that states we have to give any refund; however, its standard practice to issue refunds when there is not access to the building. Moved by Sloan, seconded by Kent to recommend to Council for action. Motion carried unanimously.
- d) **Sale of Property** – Adm. Geick stated that this 2.1 acres on Lake Street is the last piece of industrial property the City had created in an old industrial TID. This TID has long since been closed. Driftless Glen plans to build storage building(s) and has offered us \$5,000 per acre, or a total purchasing price of \$10,500. Moved by Sloan, seconded by Kent to recommend to Council for action. Motion carried unanimously.
- e) **Employee COVID-19 Policy** – Adm. Geick recommends that this item be postponed because the department heads have not yet reviewed this policy. There may be some recommendations made and this policy will be brought back before the Committee at the next meeting.

#### **Presentations**

- Andrea Jansen from Baker Tilly Virchow Krause, LLP presented the City’s 2019 Audit Report.
- Cynthia Haggard, Finance Director presented the 2021 Budget Planning reviewing 2021 Debt, Levy, Revenue Forecast, Positions and Wage Projections, Council Priorities and Capital Planning.

#### **Information Items**

- Attorney Insurance Claims Report:
  - o Denial of claim submitted by K. Dervetski for damage to motor vehicle.

**Adjournment** – Moved by Sloan, seconded by Kent and carried to adjourn.

#### **Baraboo Economic Development Commission**

**July 9, 2020**

##### **I. Call Meeting to Order and Note Compliance with Open Meeting Law**

Vice-Chair Jim Bowers called the meeting to order at 5:30 PM in Room 12, Baraboo Civic Center, Baraboo, WI. The meeting was noticed in conformance with Wisconsin State Statutes regarding open meetings.

##### **II. Roll Call of Membership**

Present: Bowers, Johnson, Palm, Ryan, White

Absent: Ayar, Cafilisch, Mueller, Reppen, Taylor, Walczak, Wastlund

Other: Patrick Cannon

At 5:40 PM, the Vice Chair excused the members present and the meeting was not conducted due to lack of quorum.

#### **Administrative Committee**

**July 6, 2020**

Present: Alderpersons John Ellington, Heather Kierzek & Kathleen Thurow

Absent: None

Also Present: Mayor Palm, Finance Director, Cynthia Haggard; Police Chief, Mark Schauf; City Clerk, Brenda Zeman; and City Attorney, Emily Truman.

Citizen Present: Geri Pettersen and her daughter

The meeting was called to order by Chairman John Ellington at 8:00AM CST., with roll call and noting compliance with the Open Meetings Law.

Motion by Kierzek to approve the minutes of June 1, 2020 and June 18, 2020, seconded by Thurow and unanimously carried.

Motion by Kierzek to approve agenda, seconded by Thurow and unanimously carried.

Review and possible recommendation to Council to update Section 12.01(6) of the City Code regarding the expiration date for licenses and permits.

City Attorney Truman stated that the change was simply changing the expiration date from December 30<sup>th</sup> to December 31<sup>st</sup>.

Motion to recommend to Council to update Section 12.01(6) of the City Code regarding the expiration date for licenses and permits by Thurow, seconded by Kierzek and unanimously carried.

Review and possible recommendation to Council to adopt a new Chapter in the City Code dedicated to ordinances regulating animals, and to instruct the City Attorney to:

- Update the Municipal Code to include the new Chapter
- Make the corresponding updates to §25.10, "Bond Schedule for Ordinance Violations,"
- Change all of the ordinances moved in their entirety to the proposed new Chapter to "Reserved," for future Code use, with the exception of §§12.08A and 12.13(M) which can be removed in their entirety, and
- Update all cross-references located throughout the Code (e.g., §§ 10.03(6) and 10.05(10), the City's Official Fee Schedule, etc.)

Motion to recommend to Council to adopt a new Chapter in the City Code dedicated to ordinances regulating animals, and to instruct the City Attorney to update the Municipal Code to include the new Chapter, to make the corresponding updates to §25.10, "Bond Schedule for Ordinance Violations," to change all of the ordinances moved in their entirety to the proposed new Chapter to "Reserved," for future code use, with the exception of §§12.08A and 12.13(M) which can be removed in their entirety, and to update all cross-references located throughout the Code (e.g., §§10.03(6) and 10.05(10), the City's Official Fee Schedule, etc. by Thurow, seconded by Kierzek and unanimously carried.

Review and possible recommendation to Council to amend Section 1.30, "Baraboo District Ambulance Commission" of the City Code by combining and consolidating Chapter 28, "Baraboo District Ambulance Commission" into that Section.

Motion to recommend to Council to amended Section 1.30, "Baraboo District Ambulance Commission" of the City Code by combining and consolidating Chapter 28, "Baraboo District Ambulance Commission" into that Section by Kierzek, seconded by Thurow and unanimously carried.

Consider application for keeping chickens for Michael Lutz @ 418 10<sup>th</sup> Street

Ellington referenced a letter from Lutz requesting a waiver for the placement of the coop. The waiver was received after the agenda was posted. A copy of the letter is included in the minutes of the meeting (Exhibit A)

Kierzek brought up a section in the Code that addresses the max size of a coop per chicken. Since there was an issue with the number of chickens and the size of the coop, the application was postponed.

Motion to postpone consideration of application for keeping chickens for Michael Lutz @ 418 10<sup>th</sup> Street to the August 3<sup>rd</sup> meeting by Thurow, seconded by Kierzek and unanimously carried.

Consider Request for Excessive Household Animals (4 Dogs) – Geri Pettersen

Ellington mentioned that a letter was received from Dave Mowers, Pettersen's neighbor, sharing past experiences. The letter came after the agenda was posted. A copy of the letter is included in the minutes of the meeting (Exhibit B).

Motion to approve and move on to Council the request for Pettersen's Excessive Household Animals (4 dogs) by Kierzek, seconded by Ellington and unanimously carried.

Member comments

The next meeting will be Monday, August 3, 2020 at 8:00AM CST. Meeting location will be 101 South Boulevard.

Motion to adjourn by Kierzek, seconded by Thurow and unanimously carried. Meeting adjourned at 8:36AM CST.

Absent: None

Also Present: Mayor, Mike Palm; Interim City Administrator, Ed Geick; Executive Director of the Community Development Authority, Pat Cannon, Assistant Fire Chief, Mark Willer; City Finance Director, Cynthia Haggard; Stewart Koehler

Citizen Present: None

The meeting was called to order by City Alderperson Phil Wedekind at 11:00AM CDT., with roll call and noting compliance with the Open Meetings Law.

Moved by Vodak to approve the minutes of July 11, 2019, seconded by Dr. Falco and unanimously carried.

Motion by Vodak to approve agenda, seconded by Dr. Falco and unanimously carried.

Selection of the Tax Incremental Financing Joint Review Board Chairperson, by majority vote for TID 6, TID 7, TID 8, and TID 9.

Motion by Geoghegan to nominate Phil Wedekind as the Chairperson for TID 6, TID 7, TID 8 AND TID 9, seconded by Vodak with roll call and unanimously carried.

Selection of the Tax Incremental Financing Joint Review Board Public Member, by majority vote for TID 6, TID 7, TID 8 and TID 9

Mayor Palm provided background that he was originally the public member for the TIDs. He was the public member before becoming the Mayor. He expressed that in the best interest of the Board, he chose to step down from that roll and asked the Board to vote in a new public member. He informed the Board that he had asked Stewart Koehler to attend today's meeting in hopes he would be considered for the vacant public member position.

Motion by Dr. Falco to nominate Stewart Koehler as the public member for TID 6, TID 7, TID 8 and TID 9, seconded by Geoghegan with roll call and unanimously carried.

Review annual reports and review the performance and status of the Open Tax Incremental Districts TID 6, TID 7, TID 8 and TID 9

The Committee reviewed the annual reports for TID 6, TID 7, TID 8 and TID 9

The Committee reviewed the performance and status of TID 6, TID 7, TID 8 and TID 9, which included:

- Performance Highlights
- Outstanding Debt Service
- Estimated Future Performance
- Performance Graphs

Discuss next meeting date and time to consider prospective extension of TID 7 and TID 8

Pat Cannon presented information about the need for TID 7 and TID 8 extensions. He also discussed the timing of the next meeting being late July.

The Board agreed upon the next meeting being July 30<sup>th</sup> at 11:00AM CDT. The meeting location will be Council Chambers at 101 South Boulevard, and will have remote capability available through Microsoft Teams.

Motion by Vodak to adjourn the meeting, seconded by Geoghegan, meeting adjourned at 11:25AM CDT.

#### **TID Joint Review Board**

**July 30, 2020**

Present: City of Baraboo & JRB Chairperson, Phil Wedekind; Baraboo School District, Kevin Vodak; Sauk County, Elizabeth Geoghegan; Madison Area Technical College, Dr. James Falco; Public Member, Stewart Koehler

Absent: None

Also Present: Interim City Administrator, Ed Geick; Executive Director Community Development Authority, Pat Cannon, Assistant Fire Chief, Mark Willer; City Finance Director, Cynthia Haggard; City Engineer, Tom Pinion

Citizen Present: None

The meeting was called to order by JRB Chairperson Phil Wedekind at 11:00AM CDT., with roll call and noting compliance with the Open Meetings Law.

Moved by Koehler to approve the minutes of July 16, 2020, seconded by Dr. Falco and unanimously carried.

Motion by Koehler to approve agenda, seconded by Geoghegan and unanimously carried.

JRB Resolution 2020-01, Tax Incremental District Standard Extension Resolution TID 7

Motion by Dr. Falco to approve JRB Resolution 2020-01, Tax Incremental District Standard Extension Resolution TID 7, seconded by Geoghegan with roll call and unanimously carried.

JRB Resolution 2020-02, Tax Incremental District Technical College Extension Resolution TID 7

Motion by Geoghegan to approve JRB Resolution 2020-02, Tax Incremental District Technical College Extension Resolution TID 7, seconded by Dr. Falco with roll call and unanimously carried.

JRB Resolution 2020-03, Tax Incremental District Standard Extension Resolution TID 8

Motion by Dr. Falco to approve JRB Resolution 2020-03, Tax Incremental District Standard Extension Resolution TID 8, seconded by Geoghegan with roll call and unanimously carried.

JRB Resolution 2020-04, Tax Incremental District Technical College Extension Resolution TID 8

Motion by Dr. Falco to approve JRB Resolution 2020-04, Tax Incremental District Technical College Extension Resolution TID 8, seconded by Geoghegan with roll call and unanimously carried.

Cannon presented information about the need to create TID 10 and TID 11.

Discuss next meeting date and time to consider prospective creation of TID 10 Overlay of TID 8 and TID 11 Overlay of TID 7

The Board agreed upon the next meeting being August 27, 2020 at 11:00AM CDT. The meeting location will be Council Chambers at 101 South Boulevard, and will have remote capability available through Microsoft Teams.

Motion by Geoghegan to adjourn the meeting, seconded by Dr. Falco, meeting adjourned at 11:14AM CDT.

- **Copies of these meeting minutes are on file in the Clerk's office:**

Plan Commission.....06-16-2020

CDA.....6-2-2020, 7-7-2020

Park & Recreation.....6-8-2020, 7-13-2020

Library.....6-15-2020, 6-16-2020, 7-9-2020, 7-14-2020, 7-15-2020

Ambulance.....6-18-2020, 6-24-2020, 7-1-2020

- **Petitions & Correspondence Being Referred:** Provided as information only: Letter from Dave Bretl, Sauk County Interim Administrative Coordinator

**ADJOURNMENT**

Moved by Petty, seconded by Kent, and carried on voice vote, that the meeting adjourn at 7:5pm.

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Brenda Zeman, City Clerk